IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

WP(C).No. 29063 of 2006(I)

PETITIONER:

N. MADHU, S/O.NARAYANAN ACHARI,
WATCHER CUM PEON, IHRD COLLEGE OF
ENGINEERING, KOTTARAKARA, KOLLAM DISTRICT.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS:

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1. **THE DIRECTOR, INSTITUTE OF HUMAN**
   RESOURCES DEVELOPMENT, PRAJOE TOWERS,
   VAZHUTHACAUD, THIRUVANANTHAPURAM-14.

2. **THE PRINCIPAL COLLEGE OF ENGINEERING**
   ETC P.O., KOTTARAKARA, KOLLAM DISTRICT.

BY ADV. SRI.N.N.SUGUNAPALAN (Sr.) SC, IHRD
SRI.S.SUJIN, SC, IHRD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/07/2007 ALONG WITH WPC NO. 2135 OF 2007 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.29063/2006 I

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF THE ORDER NO.E4/12361/04/HRD (1) DTD. 13/12/04 ISSUED BY THE 1ST RESPONDENT.**

EXT.P2: **COPY OF THE ORDER NO.E4/12361/04/HRD DTD. 8/06/05 ISSUED BY THE 1ST RESPONDENT.**

EXT.P3: **COPY OF THE ORDER NO.E4/12361/04/HRD (2) DTD. 23/11/05.**

EXT.P4: **COPY OF THE ORDER NO.E4/12361/2004/HRD/(3) DTD. 31/05/06.**

EXT.P5: **COPY OF THE JUDGMENT IN O.P.702/01 OF THIS HON'BLE COURT DTD. 8/01/01.**

/TRUE COPY/

KSS

A.K. Basheer, J.

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W.P(C) Nos. of 2007

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Dated this the 13th day of July, 2007.

J U D G M E N T

Petitioners in these writ petitions were admittedly ad hoc employees on daily wages of the Institute of Human Resources Development at various Centres in the State of Kerala. They were disengaged by the Institute at various points of time. It is therefore that they have challenged their disengagement in these writ petitions praying inter alia that they are entitled to be reinstated and their services are liable to be regularised, particularly since they had been working in the Institute for the last several years starting from 1999. This Court had issued an interim direction restraining the Institute from engaging fresh hands pending disposal of the writ petitions.

2. The said order is in force even now.

3. Sri.N.N.Sugunapalan, learned senior counsel appearing for the Institute submits that the 18th meeting of the Governing body of the Institute which was held on July 9, 2007 has resolved to approve the recruitment policy for regular appointment of last grade servants and part time employees under the Institute. The following resolution was passed in the said meeting:

> "The regular appointment of last grade servants and part-time employees under IHRD shall be after notifying the vacancies through print media and conducting interview. The ad-hoc employees who

were engaged under IHRD shall be given a weightage in the direct recruitment as mentioned above. The quantum of weightage to be given as above and other modalities of the recruitment shall be finalised by the Executive Committee".

4. Learned counsel for the petitioners submits that they are prepared to wait for the final decision to be taken by the Institute in terms of the resolution referred to above. However their anxiety is that the Institute may not engage fresh hands till such final decision is taken. In other words, the prayer is to keep the interim order issued by this Court in force till the procedure is completed by the Institute in terms of the above resolution.

In the above facts and circumstances I am satisfied that the above request is only just and reasonable. Therefore these writ petitions are disposed of with a direction to the IHRD, to finalise the procedure for recruitment of last grade servants and part time employs in the Institute in terms of the resolution referred to above and all such other further action that may be taken by the Institute pursuant to the above resolution as expeditiously as possible, at any rate within 3 months from the date of receipt of a copy of this judgment.

Till such time, the process is completed, the interim order interdicting the Institute from making any fresh appointment to the post of last grade servants and part time employees shall remain in force.

A.K. Basheer
Judge.

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